

## REMARKS

Applicant has rewritten all claims to define the invention more particularly and distinctly so as to overcome technical rejections and define the invention patentably over the prior art.

Applicant requests reconsideration and withdrawal of the rejection of claim 1, newly written as claim 12, under U.S.C. §102 as the prior art in question, **Meredith patent 967,949, is referring to separate and distinctly different objects.** Specifically, Meredith refers to a shelter portion 15, which is suspended directly above the hammock bed 2, by means of a rope 16. This ridgeline 16, is above the hammock and serves the purpose of supporting the tent like shelter section 15. It is not directly connected to, or of aid in tensioning the hammock bed 2.

Meredith's hammock description is far different from the applicant's claim 12, which defines a hammock bed 16, which is tensioned more tautly through the center of the bed 16, longitudinally speaking between two spaced anchors. **This tensioning of the hammock bed has nothing to do with neither a ridgeline nor any connection to a shelter portion there of.** The applicant's claim 12 describes a hammock bed and how that hammock bed is tensioned.

In regards to the use of the words "multiple person hammock" in claim 12, **A multiple person hammock is a hammock designed for more than one person.** Hammocks come in many varieties, and with many specifications and strengths. Not all hammocks are capable of supporting multiple people and few hammocks are technically designed to comfortably support multiple people. The applicant's use of the words "multiple person hammock" is intentional as a descriptive tool to relay the message that **the applicant's hammock is specifically and technically designed to comfortably support more than one occupant**, thus the use of the words "multiple person hammock".

Claims 2, 4, 5 and 6, newly written as claims 13-16, are dependent upon independent claim 12. Claim 12 has been explained above to overcome rejections under U.S.C. § 102. Dependent claims further limit and define independent claims, so they too should overcome any rejections under §102.

Claim 10, newly written as claim 20, is redrafted and clarified overcoming the rejection under U.S.C. §102. The distinction between Mark, patent 961,704, using pulleys connected to the spaced anchor and the applicant's use of the spaced anchor as a pulley is further clarified as follows. Mark describes the use of pulleys 42, connected to a hook 43, which latter is tied to the spaced anchor. This means of tensioning the hammock bed adds unnecessary weight, introduces the use of unnecessary parts and is unlike the applicant's tensioning system. The applicant's system, **utilizing the spaced anchor in and of itself as a double pulley** to gain a mechanical advantage in tensioning the hammock bed, is unique to the prior art and offers many unobvious advantages. This point is refined and clarified in the redrafting of claim 20, distinguishing it more particularly so as to overcome the rejection under §102.

Claim 11 has been dropped.

Claims 7-9, newly written as claims 17-19, are novel and unobvious under §103 as explained. The tent pole structure used in applicant's multiple person hammock shelter **achieves unexpected results**, as the tent pole structure allows the shelter to be set up and used as a tent on the ground free from the use of trees or any other suspensioning system. With the use of the applicant's shelter as a tent, the retractable and reattachable raincover may still be used. This is far superior to **Lyons, patent 5,072,465, structure that would be unable to perform in this way.**

Further, the applicant's multiple person hammocks tent pole structure is unique to Lyons' patent 5,072,465, because the **tent pole structure creates vestibule space underneath the raincover to each side of the structure** for which a person may stand under to dress or move freely objects from below the hammock bed. Lyons' description suggests none of this, nor would any of it be possible with merely a ridgeline running above the sleeping surface from which to suspend the raincover.

In addition, the applicant's **tent pole system allows occupants more headroom** with the utilization of a dome rather than that of Lyons' A frame style. The retractable and reattachable raincover with use of a tent pole system is clearly new, unusual, and superior.

Further, a tent pole system is unobvious for if Lyons had conceived the surprising benefits he surely would have included it into his specification. He did not, therefore, its unobvious and surely the unexpected benefits have been disclosed here rendering claims 17-19 patentably over Lyons, patent 5,072,465, in view of U.S.C. §103.

Claim 3 has been dropped.

## CONCLUSION

For all the above reasons, the applicant submits that the claims are now in proper form, defining patentably over the prior art. Therefore the applicant submits that this application is now in condition for allowance, which action is respectfully solicited.

### Conditional Request for constructive assistance

Applicant has amended the claims of this application so that they are proper, definite, and define novel structure which is also unobvious. If for any reason this application is not believed to be in full condition for allowance, the applicant respectfully request the constructive assistance and suggestions of the Examiner pursuant to § 707.07(j) in order that the undersigned can place this application in allowable condition as soon as possible.

Very respectfully,

*William D. O'Brien*

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## CERTIFICATE OF MAILING

I hereby certify that this correspondence, and attachments, if any, will be deposited with the United States Postal Service by First Class Mail, postage prepaid, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VI 22313 - 1450, on the date below.

Date: 2005 September 6<sup>th</sup>

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